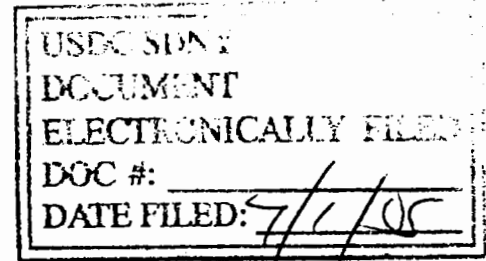


# **EXHIBIT**

## **G**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
:  
EDDIE WISE, on behalf of himself and others :  
similarly situated, :

Plaintiffs, :

-against- :

RAYMOND W. KELLY, Commissioner of the :  
New York City Police Department, et al., :

Defendants. :  
:  
----- X

ORDER

05 Civ. 5442 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

The plaintiffs' request that the Court grant a preliminary injunction ordering defendants Kaye, Lippman, and Parker (the "State Defendants") to disseminate an informational notice to their employees regarding the status of New York Penal Law § 240.35(1) is hereby denied. The Court nonetheless uses its good offices to recommend that the State Defendants issue such a notice advising appropriate personnel of the Second Circuit's decision in *Loper v. New York City Police Dep't*.<sup>1</sup>

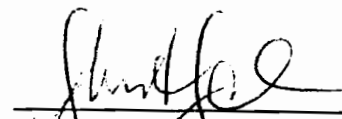
The Court reserves decision regarding its June 21, 2005 Order to Show Cause pending the State Defendants' submission of, and the plaintiffs'

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<sup>1</sup> 999 F.2d 699 (2d Cir. 1993).

opposition to, a motion to dismiss.

SO ORDERED:

  
\_\_\_\_\_  
Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
July 1, 2005

**- Appearances -**

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